

# FRANCE

## a. SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
<b>I. TERRITORIAL SEA</b>	1888	Decree	3nm	
	Dec 71	Law 71-1060	12nm	
	Feb 85	Decree No. 85/185		Tankers, nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances or materials, they may be required to use such sea lanes and traffic separation schemes as may be designated.  This requirement is not recognized by the U.S.
<b>II. ARCHIPELAGIC, STRAIGHT BASELINES, &amp; HISTORIC CLAIMS</b>	Oct 67	Decree		Established straight baselines.
<b>III. CONTIGUOUS ZONE</b>	1948	Articles 477 & 478 of Customs Code	20km	
	1968	Maritime Customs Code	12nm	
	Dec 87	Article 44 of Customs Code	24nm	In contiguous zone, Customs Service may exercise the control necessary to prevent infringement of laws and regulations.
	Jul 94	Law 94-589 (inoperative until implementing regulations are issued)		Authorizes French aircraft and naval vessels to monitor and inspect commercial ships and pleasure craft.
<b>IV. CONTINENTAL SHELF</b>	Dec 68	Law No. 68-1181	Non-specific	
<b>V. FISHING ZONE/EEZ</b>	Jun 67	Decree No. 67-451	12nm	
	Jul 76	Law No. 76-655		Enabling legislation for 200nm EEZ.
	Feb 77	Decree No. 77-130	200nm	Implemented EEZ as to coasts bordering North Sea, English Channel, and Atlantic from Belgium to Spain. Claimed exclusive fishing, with licensing of certain foreign vessels.
<b>VII. MARITIME BOUNDARIES</b>	Apr 75	Agreements (2)		Territorial sea and continental shelf boundary with Spain (Bay of Biscay) EIF.
	Jun 77 & Mar 78	Arbitral Award		Continental shelf boundary with the United Kingdom in English Channel (west of 0° 30' W) and Atlantic approaches delimited.
	Feb 83	Agreement		Continental shelf boundary agreement with the United Kingdom in English Channel (east of 0° 30' W) EIF.

TYPE	DATE	SOURCE	LIMITS	NOTES
<b>VII. MARITIME BOUNDARIES (Cont.)</b>	Aug 85	Agreement		Maritime boundary agreement with Monaco EIF.
	Apr 89	Agreement		Territorial sea boundary agreement in the area of the Strait of Bonifacio with Italy EIF.
	May 89	Agreement		Territorial sea with United Kingdom in Straits of Dover EIF.
	Oct 90	Agreement		Boundary agreement with Belgium signed.
	Jul 91	Agreement		Boundary agreement with the UK in the southern North Sea signed.
<b>VIII. LOS CONVENTION</b>	Dec 82			Signed, with a declaration relating to pollution control measures, to the non-recognition of foreign laws and regulations incompatible with the Convention, and to flaws in the deep seabed regime.
	Apr 96			Acceded to Convention and ratified Part XI Agreement, with declaration.

## **b. DOMESTIC LEGISLATION AND REGULATIONS**

### **1. STRAIGHT BASELINES**

**A. LEGISLATION.** Following is the text of a Decree by the Government of France of 19 October 1967 establishing the French straight baseline system:

DECREE defining the straight baselines and the closing lines of bays serving to determine the baselines from which the breadth of the territorial waters is measured.

On the basis of the report of the Minister of Foreign Affairs, the Minister of the Armed Forces, the Minister of Supply and Housing, and the Minister of Transport, and

IN VIEW OF Decree No. 67-451 of June 7, 1967 extending the belt in which fishing by Foreign vessels is prohibited, in particular Article 2(1) thereof,

THE PRIME MINISTER  
DECREES:

#### Article 1

The straight baselines and the closing lines of bays serving to determine the baselines from which the breadth of the territorial waters is measured shall be drawn as follows:

#### ENGLISH CHANNEL COAST

##### Baie de Seine

From the Cap de la Heve light to the light on the west breakwater of Trouville harbor.

##### Saint-Vaast-la-Capelle Roadstead

From Pointe de Saire to the Iles Saint-Marcouf light and from the Iles Saint-Marcouf light to the northeastern end of the "Roches de Grand Camp" ferry-boat line.

#### Cherbourg Roadstead

From the Cap Levi lighthouse to Nacqueville Fort.

#### Anse de Vauville

From the Jobourg signal station to the Flamanville signal station.

#### Baie du Mont-Saint-Michel

From the Point du Roc light to Ilot Herpin and from there to Pointe du Grouin.

### NORTHERN AND WESTERN BRITTANY

From Pointe du Grouin to the Menhir (Penmarch) light along a broken line connecting the following points:

Pointe du Grouin--Rochefort Turret--northeastern point of Ile de Cesembre (off Saint-Malo)--northern tip of Cap Frehel--Grand Lejon light (Baie de Saint-Brieuc)--la Horaine light--les Heaux light--northern point of Ile Rouzie (the seven islands)--Triagoz light--Ilot Pen Ven (north of Ile de Batz)--northern point of Ile Vierge--Corn-Carhai light--Ilot de Keller--An Ividig light--last drying rock west of the Chaussee [reef] de Sein (48° 03' 25" N and 05° 02' 20" W)--Menhir (Penmarch) light.

### SOUTHERN BRITTANY AND VENDEE

From the Menhir (Penmarch) light to les Baleineaux light (north of Ile de Re) along a broken line connecting the following points:

Menhir (Penmarch) light--les Putains turret--southern point of Iles du Loch (Iles des Glenan)--Pointe d'Enfer (south of Ile de Groix)--Ilot Bagueneres (west of Belle Ile)--Pointe du Talut--Pointe de l'Echelle (southeast of Belle Ile)--les Grands Caridnaux light--la Banche light (off the Loire estuary)--le Pilier light (northwest of Ile de Noirmoutier)--le Bavard Turret--les Chiens Perrins light (northwest of Ile d'Yeu)--Pointe de la Tranche (tower at the southern end of Ile d'Yeu)--Grande Barge light (west of les Sables d'Oloune) --les Baleineaux light (northwest of Ile de Re).

### SOUTHERN VENDEE AND LANDES

#### Pertuis l'Antioche

From the Chanchardon light to the Chassiron light.

#### Pertuis de Maumusson

From the la Cotiniere light to the la Coubre light.

#### Gironde Estuary

From the la Coubre light to the la Negade beacon.

### CONTINENTAL MEDITERRANEAN COAST

#### Golfe d'Aigues Mortes

From the mouth of the Grau de Palavas to the l'Espiquette lighthouse.

#### Golfe des Saintes Maries

From the Grau d'Orgon to the Beauduc beacon.

#### From Golfe de Fos to Baie de Sanary

From the point defined by coordinates 43° 19' 50" N and 4° 50' 00" E to Pointe de la Gardiole along a broken line connecting the following points:

Point defined by coordinates 43° 19' 50" N and 4° 50' 00" E--Cap Couronne light--Ile du Planier light--eastern point of Ile Riou--la Cassidaigne light--Ile du Grand Rouveau light--southwestern point of Ile des Embiez--southern point of le Petit Gau--Pointe de la Gardiole.

From the Toulon roadstead to the Baie de Cavalaire

From the Cap Sicie light to the eastern tip of Cap Camarat along a broken line connecting the following points:

Cap Sicie light--Cap d'Armes--Ilot de la Gabinierie--Cap Maupertuis--le Grand Cap--Pointe du Titan--Cap Taillat--eastern tip of Cap Camarat.

Baie de Pampelonne and Golfe de Saint-Tropez

From the eastern tip of Cap Camarat to Pointe des Issambres.

From Golfe de Frejus to Golfe Juan

From Pointe des Issambres to the l'Ilette lighthouse along a broken line connecting the following points:

Pointe des Issambres--Ile de la Boute--les Moines turret--l'Ilette lighthouse.

Baie des Anges

From the northeast bastion of the Fort Carre d'Antibes to the Cap Ferrat (Villefranche) lighthouse.

Baie de Beaulieu

From Pointe de Saint Hospice to Cap d'Ail.

Haie de Roquebrune

From Pointe de la Vieille to Cap Martin.

COAST OF CORSICA

Golfe de Saint-Florent

From Pointe de Cannelle to Pointe de Mignole.

Golfe de Calvi

From Pointe d'Espano to Pointe Revellata.

From Cap de la Morsetta to Golfe de Pinarello

Between Cap de la Morsetta to the northeastern point of Golfe de Pinarello along a broken line connecting the following points:

Cap de la Morsetta--Pointe des Scoglietti--Ilot de Gargalo--Cap Rosso--Pointe d'Omignis--Cap de Feno (Golfe de Sagone)--western point of Iles Sanguinaires--Cap Muro light--Pointe de Senetose--les Moines light--Cap Pertusato light--Ilot Lavezzi light--eastern point of Ile Cavallo--southeastern point of Ile Forana (Iles Cerbicales)--southeastern point then northeastern point of Golfe de Pinarello.

Article 2

The following shall be repealed on the date of publication of this decree:

The decree of July 9, 1888 fixing, for the bays in the fifth maritime district, the line from which the three miles making up the French territorial sea are to be measured:

The decree of June 1, 1938 fixing, for the Maritime Registration Divisions [Directions d'Inscription Maritime] of Le Havre, Saint-Servan, and Bordeaux, the boundaries of the waters reserved for French fisheries.

### Article 3

The Minister of Foreign Affairs, the Minister of the Armed Forces, the Minister of Supply and Housing, and the Minister of Transport shall be responsible, each with respect to the matters under his jurisdiction, for enforcing this decree which shall be published in the Journal Officiel [Official Gazette] of the French Republic.

**B. ANALYSIS.** The following comments regarding France's straight baseline system are extracted from Limits in the Seas, No. 37, "Straight Baselines: France," 29 February 1972:

For the convenience of the discussion, the straight-baselines system has been divided into sectors. . . .

#### Sector No. 1

The approximately 8.4 nautical mile line closes the mouth of the Seine River. The natural closing point on the north, Cap de la Heve, marks the seaward limit of the riverine estuary; on the south coast, which is essentially featureless, no distinctive locational point has been chosen.

#### Sector No. 2

Two continuous lines of 6.8 and 7.5 nautical miles in length enclose a rectangular indentation of the coast to the east of the Normandy peninsula. The indentation, which is not a juridical bay or a deep penetration of the land, is labelled as a roadstead. The maximum penetration of the sea into the land is about 3 nautical miles. Several small islets are enclosed; the waters within the baseline are essentially shoal.

#### Sector No. 3

Although defined in the decree, this area is not represented on the cited charts. The closing line, which measures 9.5 miles, delimits the Cherbourg roadstead.

#### Sector No. 4

The 8.9 nautical mile straight baseline encloses the shallow indentation of the Anse de Vauville which has a maximum penetration of 3 nautical miles.

#### Sector No. 5

This sector may be divided into two distinctive segments related to the coastal morphology: 1) the Bay of Mont-St. Michel, and 2) the indented coasts of Brittany and Vendee.

The bay meets the specifications of a juridical bay, and it is enclosed by a two-segmented line totalling 11.5 nautical miles.

The north coast of Brittany is deeply embayed and fringed with many small islands, reefs, rocks, and low-tide elevations. The straight-baseline system primarily utilizes the islands and islets as basepoints although one mainland cape (Frehel) also does serve. Thirteen segments cover the entire northern coast to the west of the Ile d'Ouessant. The segments total approximately 142.5 nautical miles and have an average length of 10.9 nautical miles. The longest segment measures 23.4 nautical miles; it is situated to the east of the Ile Vierge. Drying rocks are used as basepoints, but all are cited as navigational lights.

The western shore of Brittany and Vendee is delimited by baselines which total approximately 212.3 nautical miles. Several apparent discrepancies exist between the textual description of the decree and charts (U.S. and French). The attached chart [omitted] may, as a result, be incorrect in the vicinity of the Ile de Groix. The point situated directly to the west of the island should probably be located several miles farther to the north. In addition, the straight baseline from this point should terminate at the west cape of the island. The line continuing southward is apparently correct; a break in the straight baselines exists on the cited chart. The coast of the island serves as the baseline in the intervening area. The longest segment measures approximately 39 nautical miles, although the average length is about 17.7 nautical miles.

#### Sector 6

The single line closes the northern entrance of the bay-like indentation of La Rochelle. The line may be considered a continuation of the previous system or a bay/river closure. The line measures approximately 7.9 nautical miles in length.

Sector 7

The two segments serve to close the previously defined area in the south and the mouth of the Gironde River. The first segment does not, in the normal sense, enclose landlocked waters. The two segments measure 12.0 and 11.8 nautical miles, respectively.

Sector 8

The single 9.4 nautical mile line encloses the Golfe d'Aiguemortes, which is neither a juridical bay nor a deep indentation of the coast. The line, however, has a very marginal effect on the seaward limit of territorial waters.

Sector 9

A single 8.25 nautical mile line delimits the Golfe de Beauduc, which is neither a juridical bay nor a deep indentation of the coast. As in the previous sector, the effect on the sea is minimal.

Sector 10

East of the Rhone delta, the Mediterranean straight baselines are noncontinuous; minor sections of insular or mainland coastline serve as the territorial sea baseline.

From the Rhone to the Toulon roadstead, eight segments enclose embayments of a rugged coastal region utilizing offshore islands as primary basepoints. . . . The longest of these segments measures approximately 21.1 nautical miles, although the average length of line is slightly less than 8.5 nautical miles.

Sector 11

East of Toulon the same general coastal configuration continues. Eleven baseline segments total slightly more than 75 nautical miles. The longest is 15.4 nautical miles while the average is about 6.8 nautical miles.

Sectors 12 and 13

These two sectors comprise three detached segments. The western line (10.25 nautical miles) closes the Baie de Angers and the Baie de Villefranche. Viewed together, the two bays do not constitute a juridical bay although they do constitute a major indentation.

The central segment (2.8 nautical miles) closes the Baie de St. Hospice, and the final segment (2.5 n.m.), which is not represented on the cited charts, delimits the Baie de Roquebrune.

Sector 14

The western and southeastern coasts of the islands of Corsica are deeply indented and/or fringed with many islands and islets. Two bay-closing lines have been delimited for the juridical bays of Golfe de St. Florent (8.7 nautical miles) and the Golfe de Calvi (3.45 nautical miles). From the Cap de la Marsetta, a continuous system of straight baselines encloses the remainder of the western and southeastern shores to the northeastern point of the Golfe de Pinarello. Eighteen segments constitute the system, and they total approximately 120.2 nautical miles in length. The longest segment measures approximately 12.25 nautical miles, while the average length is about one-half of this figure.

The total French system of straight baselines measures about 715 nautical miles. Over one-half (366.3 nautical miles) delimits the rugged and embayed Brittany coast of northwestern France. Approximately 276 nautical miles serve the Mediterranean shores, including Corsica. The longest segment is less than 40 nautical miles in length. The straight-baseline system increases French internal waters significantly but, with the recent legislation for a 12 nautical mile territorial sea, has a limited effect on the extension of the seaward limit of the French territorial sea.